

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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NORTHWOOD, INC.,

Plaintiff,

v.

Case No. 20-13356

CLINICAL WOUND SOLUTIONS, LLC,

Defendants.

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**ORDER DIRECTING DEFENDANT TO SHOW CAUSE WHY PLAINTIFF'S MOTION  
FOR PRELIMINARY INJUNCTION SHOULD NOT BE GRANTED**

Plaintiff Northwood, Inc., brings this action for breach of contract against Defendant Clinic Wound Solutions, LLC. (ECF No. 1.) Plaintiff is a third-party administrator of health insurance policies. It alleges that Defendant, a medical supplies provider, breached its contract with Plaintiff by billing patients directly. (*Id.*, PageID.5-6.)

On December 23, 2020, the same day Plaintiff filed its complaint, Plaintiff filed a motion for a temporary restraining order and preliminary injunction. (ECF No. 2.) On December 30, 2020, the court denied the motion for a temporary restraining order, directed Plaintiff to complete service by January 11, 2021, and set a telephonic scheduling conference for January 29, 2021. (ECF No. 5, PageID.120.) The court did not resolve Plaintiff's motion for a preliminary injunction.

On January 29, 2021, the court held a telephonic scheduling conference. At the conference, Defendant agreed to accept service of process. (ECF No. 9, PageID.126.) The parties agreed to discuss in good faith Plaintiff's motion for preliminary injunction

and the schedule for the case going forward. (*Id.*) A follow-up telephonic conference was set for February 12, 2021. (*Id.*)

On February 12, 2021, the court held a telephonic status conference. Defendant's attorney was unaware the conference was taking place and joined ten minutes late. At the conference, the parties agreed that Defendant, by March 5, 2021, would either file a response to Plaintiff's motion for preliminary injunction or file a motion to dismiss. (ECF No. 10, PageID.127-28.)

On March 5, 2021, Defendant's attorney contacted the court's case manager stating that she was unable to access the court's online filing system. The attorney asserted that she had drafted a motion to dismiss but could not file the motion by the end of the day, and instead she emailed a motion to the court's case manager. The court does not accept for filing documents emailed by an attorney. The case manager informed the attorney that she must register in the United States Eastern District of Michigan as an efiler to electronically file motions on the court's docket, but gave the Defendant a brief extension to file the motion.

Twenty-one days have passed since March 5, and Defendant's attorney has still not registered as an efiler in this district. Defendant has filed neither a motion to dismiss nor a response to Plaintiff's motion for a preliminary injunction. (*Id.*) In fact, despite agreeing on January 29 to accept service of process, an attorney has not entered an appearance on Defendant's behalf. (ECF No. 9, PageID.126.) From the court's knowledge, the attorney who contacted the court's case manager is a resident of Illinois and is not admitted to the State Bar of Michigan. Defendant has provided no indication

as to whether it has hired local counsel, as is required by the local rules. See E.D. Mich. LR 83.20(f).

Plaintiff's motion for preliminary injunction appears well supported, and the court is inclined to grant it. Defendant has known of the motion since January 29, 2021, at the latest, and three weeks have passed since Defendant's original deadline to file a response expired; two weeks have passed since the case manager extended the deadline to allow counsel an opportunity to properly file the motion. The court will now order Defendant to show cause within seven days why Plaintiff's motion for a preliminary injunction should not be granted. Accordingly,

IT IS ORDERED that Defendant is DIRECTED TO SHOW CAUSE, in writing, no later than **April 1, 2021**, why Plaintiff's Motion for Preliminary Injunction (ECF No. 2) should not be granted.

s/Robert H. Cleland /  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: March 25, 2021

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, March 25, 2021, by electronic and/or ordinary mail.

s/Lisa Wagner /  
Case Manager and Deputy Clerk  
(810) 292-6522

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